

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

IN RE: GOLD KING MINE RELEASE  
IN SAN JUAN COUNTY, COLORADO,  
ON AUGUST 5, 2015

No. 1:18-md-02824-WJ

*This Document Relates to McDaniel, et al. v. United States, et al.,  
Civil Action No. 01:17-cv-00710-WJ-SCY.*

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**NOTICE OF VOLUNTARY DISMISSAL OF HARRISON WESTERN CONSTRUCTION  
CORPORATION WITHOUT PREJUDICE**

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Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i)(**Fed.R.Civ.P. 41(a)(1)(A)(i)**), Plaintiffs Joanna McDaniel, Ronnie McDaniel, Joe Ann Duncan, Carolyn Emerson, Joseph Emerson, Frank White, Walter White, Michael Pratt, Deborah Pratt, Jeremiah Booher, Danny Booher, Delores Davis, Rosemary Hart and Georgia Wilson hereby voluntarily dismiss, without prejudice, all their claims against Defendant Harrison Western Construction Corporation (“Harrison Western”).

Harrison Western has filed neither an answer nor a motion for summary judgment in the underlying action.

Each party agrees to bear his/her/its own costs, expenses and attorney fees.

Dated this 14<sup>th</sup> day of June 2018.

Respectfully Submitted,

**WILL FERGUSON & ASSOCIATES**

By: /s/ Martin J. Chávez

Martin J. Chávez

Adrian O. Vega

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BOOHER, DELORES DAVIS, ROSEMARY  
HART AND GEORGIA WILSON**

**CERTIFICATE OF SERVICE**

I hereby certify that, on this 14<sup>th</sup> day of June 2018, a true and correct copy of the foregoing **NOTICE OF VOLUNTARY DISMISSAL OF HARRISON WESTERN CONSTRUCTION CORPORATION WITHOUT PREJUDICE** was, unless otherwise noted, served on the following *via* CM/ECF system:

**COUNSEL OF RECORD**

/s/ Martin J. Chávez

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